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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/982,554

10/18/2001

Mathias C. Zohoungbogbo

601-17c1

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7590

04/15/2009

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EXAMINER

HUI, SAN MING R

ART UNIT

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE  
BOARD OF PATENT APPEALS AND INTERFERENCES

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Ex parte Zohoungbogbo

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Appeal 2008-5274  
Application 09/982,554  
Technology Center 1600

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Mailed: April 15, 2009

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DECISION ON REQUEST FOR EXTENSION OF TIME

This is a decision on the "Request for Extension of Time for Filing Request for Rehearing Under 37 CFR 1.136b" ("Request"), filed April 8, 2009. The Request seeks a one month extension of time to file a request for rehearing in response to the Decision on Appeal ("Decision") decided February 12, 2009.

FINDINGS

1. The Decision affirmed rejections of the Examiner under § 103 applying nine references in a new ground of rejection.
2. 37 C.F.R. § 41.52(a)(1) specifies that a request for rehearing must be filed within two months from the date of a decision on appeal.

3. 37 C.F.R. § 41. 52(b)(2) specifies that extensions of time for filing a request for rehearing must be filed under 37 C.F.R. § 1. 136(b).
4. 37 C.F.R. § 1.136(b) specifies that extensions of time under this rule will be granted only for "sufficient cause and for a reasonable time."
5. The Request states that Appellant and an Italian associate who represents Appellant are both located in Italy.
6. The Request also states that upon receipt of the Decision, Appellant's U.S. counsel promptly reported it to Appellant and the Italian associate.
7. Further, the Request states that translations of relevant documents from English into Italian were required.
8. Additionally, the Request states that:  
[D]iligent effort has been made since receipt of the February 12, 2009 decision to evaluate the references and the legal opinion and to prepare an appropriate response to the Board's decision. However, because the client is in Italy and because of the details of the legal issues at hand, additional time is needed to properly formulate an appropriate and complete response."

Request, p.1.

## DISCUSSION


The Request demonstrates that this appeal presently involves a new ground of rejection involving nine references and the necessity for translating relevant documents from English into Italian. These facts constitute sufficient cause for a one month extension of time for filing a request for rehearing.

Appeal 2008-5274  
Application 09/982,554

DECISION

In view of the foregoing, the Petition is GRANTED.

The time for Appellant to file a request for rehearing is extended one month until May 12, 2009.

  
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Michael R. Fleming  
Chief Administrative Patent Judge

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